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August 14, 2020

The Honorable Doug Ducey
Arizona State Governor
Executive Tower
1700 West Washington Street
Phoenix, AZ 85007

RE: A.R.S. § 8-817(B)(8) Reports

Dear Governor Ducey,

Pursuant to A.R.S. § 8-817(B)(8)(b), we are submitting the following information addressing the number of criminal conduct allegation (CCA) cases submitted to this office for review during fiscal year 2018-2019 and information related to those submission. For purpose of this report, criminal conduct allegation (CCA) is defined by Arizona statute as,

[A]n allegation of conduct by a parent, guardian or custodian of a child that, if true, would constitute any of the following:

- (a) A violation of § 13-3623 involving child abuse.
- (b) A felony offense that constitutes domestic violence as defined in § 13-3601.
- (c) A violation of § 13-1404 or 13-1406 involving a minor.
- (d) A violation of § 13-1405, 13-1410 or 13-1417.
- (e) Any other act of abuse that is classified as a felony.
- (f) Any offense that constitutes domestic violence as defined by § 13-3601 and involves a minor who is a victim of or was in imminent danger during the domestic violence.¹

¹ A.R.S. § 8-201(8)

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During fiscal year 2019-2020, this office received 99 criminal conduct allegation (CCA) cases from law enforcement agencies located in Yuma County. Of those 99 cases submitted for review, criminal complaints have been filed in 44. Another 13 cases remain under review following a request for further information by this office to the submitting agency. Fifty-three cases were declined.

Of the 44 cases charged in fiscal year 2019-2020, 17 were concluded by conviction, 4 were dismissed and 23 remain open, pending resolution.

Of the 42 cases declined, 34 were due to insufficient evidence, three were declined for felony prosecution but were referred for review as misdemeanors, and three are pending further investigation/information, and two were due to the suspect/defendant determined to be not competent.

Arizona Revised Statute § 8-817(B)(8)(a) requires the County Attorney to also prepare a report following the end of the prior fiscal year that contains the following the number of CCAs investigated in Yuma County and the number of such CCA investigation reports that were jointly investigated with DCS pursuant to our established protocols. Arizona Revised Statute § 8-817(B)(8)(c) also requires that this report indicate the reasons why a joint investigation between a law enforcement agency and DCS did not occur, if such, in fact, did not.

Based on the information provided to this office from all local law enforcement agencies in Yuma County², we report the following:

- Number of CCAs Investigated – 227.
- Number of CCAs Jointly Investigated with DCS – 159.
- Number of CCAs not Jointly Investigated and the Reasons Why - 68 (18 – DCS was not available; 15 – events occurred outside the agency's jurisdiction; 4- DCS disagreed; 1 – DCS not contacted; 30 – child was available (cyber-tip)).

² Yuma County Sheriff's Office, City of Yuma Police Department, City of San Luis Police Department, City of Somerton Police Department and Town of Wellton Police Department.

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This concludes our report for the fiscal year 2019-2020. Should information come about that was not known at the time of this submission, we will promptly supplement the same. Thank you for your continued attention to these matters.

Very truly yours,



Jon R. Smith
Yuma County Attorney

JRS:sj